



**Convention on the Elimination
of all Forms of Discrimination
Against Women**

Distr.
GENERAL

CEDAW/C/5/Add.50
26 May 1987

ENGLISH
ORIGINAL: SPANISH

Committee on the Elimination of Discrimination
against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

EQUATORIAL GUINEA

The Republic of Equatorial Guinea, a sovereign national State since 12 October 1968 and a member of the United Nations since November of that same year, on 28 July 1984 ratified the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in December 1979. In compliance with article 18 of that Convention, it is submitting the present two-part report to the Secretary-General of the United Nations for examination by the Committee.

PART I

There exists within the Republic of Equatorial Guinea an effective legal framework guaranteeing women, on a basis of parity with men, the enjoyment of all social, political, economic and cultural rights. An expression of this may be seen in the enactment of standards based on the principles of the Charter of the United Nations and the Universal Declaration of Human Rights, which are strictly respected in our country and take the form of specific provisions and measures aimed at the integration of women in all areas of our society.

Among the legislative instruments alluded to, the following in particular deserve mention:

- The Fundamental Law, which sets forth the country's major guiding principles of a political, social, economic, cultural and other nature, and in which all citizens of Equatorial Guinea, regardless of sex, are recognized as having equal civil, political, economic, social and cultural rights;
- Law No. 11 of 20 June 1984 on the General Regulation of Labour, which confers on women opportunities and treatment equal to those of men in the areas of employment and occupation;
- The Social Security Law of Equatorial Guinea, which guarantees protection to all citizens without regard to personal or social circumstances;
- The General Law on National Education, which extends to all citizens, without regard to sex, the right to acquire a general education and vocational (professional) training designed to equip them for the performance of an occupation useful to both society and themselves.

In order to ensure compliance with the legislative provisions cited above, there exists an infrastructure that includes the courts of justice and other administrative institutions (the inspectorates of the various ministerial departments), as well as a governmental department, known as the Department for the Promotion of Women, which has ministerial rank and is responsible for promoting the total integration of the women of Equatorial Guinea in all areas of the national society.

With a view to advancing this integration, the Government, in addition to the measures which have been taken by the ministries of Health, Agriculture, Education, Labour and Territorial Administration (to name a few), and which are aimed at improving the living standards of women, has, since 1983, through the Department for the Promotion of Women and with the co-operation of the international community, organized numerous consciousness-raising and training seminars for women, particularly in rural areas, for the purpose of providing them with theoretical and practical information on mother and child health care, agriculture, diet, etc., and has conducted courses dealing with income-generating activities for the purpose of increasing the economic power of women and improving their living conditions.

These courses have helped women to acquire greater knowledge and have provided them with the fundamentals of an efficient management capability. They have been accompanied by the establishment of workshops operated and directed by women, and by the formulation of projects capable of being carried out by family units. Examples of the latter include furniture production workshops using locally available materials; garment-making projects, including dyeing, cutting and sewing; soap-making projects; palm and coconut oil projects using technology far superior to the traditional methods and with a larger yield; fish salting and smoking projects; to mention only a few.

PART II

Information pertaining to each article of the Convention:

Article 1. The spirit of this article is reflected in article 20, paragraph 3, of the Fundamental Law of Equatorial Guinea, which states:

"3. Equality before the law. All discrimination for reasons of ethnic affiliation, race, sex, language, religion, political or any other opinions, social origin, economic position or birth is prohibited. Whatever their civil status, women enjoy rights and opportunities equal to those of men in all areas of public, private and family life in civil, political, economic, social and cultural matters."

Article 2. The article of the Fundamental Law quoted above bans any discrimination based, inter alia, on sex and extends to men and women the same capacity for the enjoyment of all rights. This principle is reflected in all the legislation developing the Fundamental Law in various areas (civil matters, labour, education, health, etc.), and the Government and people of Equatorial Guinea see to its observance through a system providing for sanctions in the case of offences and omissions.

Article 3. Article 23 of the Fundamental Law confers on the citizens of Equatorial Guinea the right to elect and be elected, to be consulted in the cases provided for in the Fundamental Law, and to discharge offices and public functions under the conditions contemplated in the law.

"All workers, whether of the male or female sex, are guaranteed the application of the principle of equal pay for work of equal value. Any discrimination or distinction, exclusion or preference based on considerations of race, colour, sex, religion, political opinion, national ancestry or social origin that has the effect of negating or limiting equality of opportunity or treatment in employment and occupation is prohibited."

The Social Security Law of Equatorial Guinea guarantees protection to all citizens regardless of personal or social circumstances.

The General Education Law assures all citizens, regardless of sex, the right to acquire a general education and vocational training designed to equip them for the performance of a task useful to society and to themselves.

Article 4. No temporary special legislation has been enacted for the purpose of accelerating de facto equality between men and women, the reason being that the laws currently in force are in accordance with the principles of the United Nations. On the other hand, it is true that consciousness-raising and training seminars regarding the important role of women are being held for the benefit of the society. In Equatorial Guinea, as a matter of both law and custom, the greatest importance is attached to maternity, which is protected accordingly.

Article 5. See reply regarding the previous article.

Article 6. Prostitution is prohibited in the Republic of Equatorial Guinea, and the Government and people see to it that it is not practised. Those who violate this prohibition are held responsible and are subject to punishment.

Article 7. Article 20, paragraph 3, of the Fundamental Law extends equal rights to men and women in all areas of public, private and family life in civil, political, economic, social and cultural matters. At the same time, article 23 of the same Law ensures all citizens of Equatorial Guinea freedom from any discrimination whatsoever in their right to elect and be elected, to be consulted in the cases provided for in the Fundamental Law, and to discharge offices and public functions under the conditions contemplated in the law.

Article 8. The reply given with respect to the previous article applies here as well. Regarding the assignment by the Government to positions as representatives of the country abroad, the rule cited above is always honoured, as reflected in the fact that the following phrase is automatically included in all announcements for positions of this kind: "All citizens of Equatorial Guinea, regardless of sex, may present their candidacy."

Article 9. Article 20, paragraph 3, of the Fundamental Law confers on all citizens of Equatorial Guinea the same rights in political, civil, economic, social and cultural matters.

Article 10. Article 44 of the Fundamental Law states:

"Education is a paramount duty of the State. The State guarantees education to all inhabitants of Equatorial Guinea without any discrimination."

The General Education Law, in all of its articles, develops this principle, recognizing and guaranteeing to both sexes equality of opportunities.

Article 11. Title VI of the Fundamental Law of Equatorial Guinea is devoted to labour, social security and the promotion of the citizen, and reflects in these areas the principles established in this article of the Convention. In further development of this Fundamental Law, the Law on the General Regulation of Labour, in article 53, paragraph 3, prohibits any distinction, exclusion or preference based, inter alia, on considerations of sex, if their effect is to negate or limit equality of opportunity or treatment in employment and occupation. Article 10 of the same Law confers on workers the right to follow their vocation and to devote themselves freely to whatever profession, industrial pursuit, occupation, artistic endeavour or trade they wish, provided that its exercise is licit. In addition, they also have the right to conclude contracts. Article 28, paragraph 6, grants workers the right to acquire vocational training in order to improve their skills and broaden their knowledge in the interests of the efficient growth of production, while paragraph 7 of the same article ensures them stability of employment. Article 53, paragraph 2, guarantees all workers, whether of the male or female sex, the application of the principle of equal remuneration.

In all nine articles of its first chapter, Title VI of this Law (Special Contracts) incorporates standards aimed at protecting the working woman and at safeguarding maternity and the woman's reproductive function.

Article 13. See article 20 of the Fundamental Law and also article 62, which affirms that the State is to provide for the training and promotion of women with a view to their integration in the active life and development of the country.

Article 14. In order to comply with the provisions of the article, the Government has, since 1983, been organizing seminars for the purpose of raising the living standards of rural woman. These seminars have led to the establishment of numerous women's associations in different communities throughout the national territory. There are a number of projects - among them, some with the Co-operative League of the United States (CLUSA) - for the purpose of facilitating access to national markets for the goods produced by these women.

Article 15. See article 20 of the Fundamental Law.

Article 16. The reply regarding the previous article applies here as well.

Numerous measures had been and were being introduced to comply with the provisions of the Convention even before its ratification. These include the establishment of mixed classrooms at all educational levels, respect and protection for the reproductive function of women, the prohibition of prostitution, and the establishment of a Department for the Promotion of Women, in line with the recommendations of the Copenhagen and Mexico City Plans of Action within the framework of the United Nations Decade for Women.

Following the ratification, the following facts may be cited as constituting persuasive evidence of the Government's constant commitment to achieving the total integration of the women of Equatorial Guinea in all areas of the national development process:

- The promotion to ministerial rank of one woman in 1984 and of two at the present time;
- The increase in the number of women parliamentarians from two in 1984 to four at the present time;
- The increase in the number of women mayors in the municipal administrations of the country, and the society's steadily growing awareness of the importance of the role of women in achieving national development;
- The strict observance of the principle of equality of opportunity and treatment between men and women in employment and occupation and in access to jobs in both the public and private sector, together with scrupulous respect for the principle of equal pay for work of equal value, whether performed by a man or a woman;
- The return to the classroom of adolescent mothers wishing to resume their studies.

DIFFICULTIES

The legal provisions discussed above notwithstanding, and despite the favourable legal framework that is available and the measures that are being taken for the total integration of women, certain difficulties are observed that are unrelated to the law. These difficulties are based primarily on the late commencement and slow pace of the education and training received by women, as well as on their early pregnancies and maternity. The effect of these factors is to keep women away from the educational institutions, if not for ever, at least long enough to reduce their ability to keep pace with their male companions in advancing to the higher levels. Further, there is the problem of early marriages and the persistence of certain traditional attitudes which limit women to their role as housewives, and in line with which their training is restricted to activities requiring only the simplest skills, if any. In this way, despite the fact that they enjoy the same opportunities as men, women have less access, under the same conditions, to positions requiring higher qualifications.

ANNEX I

The texts of the Law on the General Regulation of Labour of 20 June 1984, the Social Security Law of the Republic of Equatorial Guinea of 10 March 1984, and the General Law on National Education of the Republic of Equatorial Guinea of 9 July 1981 are available in Spanish at the United Nations Centre for Social Development and Humanitarian Affairs and may be consulted in the offices of the Advancement of Women Division.